

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

JAMES E. DRAYTON,	:	
	:	
Plaintiff,	:	No. 4:CV-02-0077
	:	
v.	:	(Judge Jones)
	:	
SUPERINTENDENT KENNETH KYLER,	:	
<i>et al.</i> ,	:	
	:	
Defendants.	:	

**ORDER**

**November 7, 2006**

**THE BACKGROUND OF THIS ORDER IS AS FOLLOWS:**

Pending before this Court are three superfluous submissions by Plaintiff. On November 6, 2006, Plaintiff filed two Notices of Appeal (docs. 355, 356) to an Order that this Court allegedly entered on or about October 16, 2006. On November 6, 2006, Plaintiff also filed a “Motion for Copy of Any Orders Filed Since 10/16/2006 In This Case.” (Rec. Doc. 357).

Plaintiff is clearly concerned that following this Court’s October 16, 2006 hearing on Defendants’ Motion to Compel Enforcement of Settlement Agreement (doc. 348-1), this Court entered an Order, which Plaintiff has not received, compelling enforcement of the settlement agreement. This Court entered no such

Order. As the transcript from the October 16, 2006 proceeding indicates, this Court took the matter under advisement, and an Order will be forthcoming. (Rec. Doc. 354 at 31). As no Order has been entered yet, Plaintiff's "Motion for Copy of Any Orders Filed Since 10/16/2006 In This Case" (doc. 357) will be denied and Plaintiff's Notices of Appeal of such Order will be ordered stricken (docs. 355, 356).

**NOW, THEREFORE, IT IS ORDERED THAT:**

1. Plaintiff's "Motion for Copy of Any Orders Filed Since 10/16/2006 In This Case" (doc. 357) is **DENIED**.
2. The Clerk of Court shall strike Plaintiff's Notices of Appeal. (Rec. Docs. 355, 356).
3. The Clerk of Court shall advise the Court of Appeals for the Third Circuit that Plaintiff's Notices of Appeal (docs. 355, 356) to an Order that this Court allegedly entered on or about October 16, 2006 have been stricken as no such Order has been entered.

s/ John E. Jones III  
John E. Jones III  
United States District Judge